

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

SCOTT G. SEWELL,	)	
	)	
Plaintiff,	)	
v.	)	No. 1:05-CV-298
	)	
JO ANNE B. BARNHART,	)	Chief Judge Curtis L. Collier
Commissioner of Social Security	)	
	)	
Defendant.	)	

**JUDGMENT ORDER**

United States Magistrate Judge Susan Lee filed her report and recommendation in this case pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b) (Court File No. 18). Neither party filed objections within the given ten days.

After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** the magistrate judge's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, the Court **ORDERS**:

- (1) Plaintiff's motion for judgment on the pleadings (Court File No. 6) is **GRANTED**.
- (2) Defendant's motion for summary judgment (Court File No. 9) is **DENIED**.
- (3) The Commissioner's decision awarding a closed period of benefits to the plaintiff commencing on May 1, 2001 and ending on September 27, 2004 is **REVERSED**.
- (4) This matters is **REMANDED** to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g).

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
s/ Patricia L. McNutt  
CLERK OF COURT